



# **HOUSE OF REPRESENTATIVES**

**STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS**

**Reference: Greater autonomy for Torres Strait Islanders**

**DARWIN**

**Tuesday, 22 April 1997**

**OFFICIAL HANSARD REPORT**

**CANBERRA**

HOUSE OF REPRESENTATIVES  
STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT  
ISLANDER AFFAIRS

Members:

Mr Lieberman (Chair)

Mr Albanese	Mr Marek
Mr Campbell	Mr Melham
Mr Dondas	Dr Nelson
Mr Entsch	Mr Pyne
Mr Holding	Mr Quick
Mr Katter	Mr Tony Smith
Mr Lloyd	

Matter referred for inquiry into and report on:

Whether the people of the Torres Strait would benefit from a greater degree of autonomy;

If so, what forms should a greater degree of autonomy take; and

What implications would greater autonomy have for Torres Strait Islanders resident outside the Torres Strait region including whether the Aboriginal and Torres Strait Islander Commission or the Torres Strait Regional Authority should represent the interests of such residents.

**WITNESSES**

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ISLANDER AFFAIRS

*Greater autonomy for Torres Strait Islanders*

DARWIN

Tuesday, 22 April 1997

Present

Mr Dondas (Acting Chair)

Mr Lloyd

Mr Tony Smith

Mr Quick

The committee met at 8.22 a.m.

Mr Dondas took the chair.

**ANIBA, Mr Samuel, Administrator, Lagau Kazil Torres Strait Islander Corporation, PO Box 2581, South Hedland, Western Australia 6722**

**SAYLOR, Ms Grace, Chairperson, Lagau Kazil Torres Strait Islander Corporation, PO Box 2581, South Hedland, Western Australia 6722**

**ACTING CHAIR**—Good morning, Samuel and Grace, and welcome. Thanks for coming all the way from Port Hedland to see us because it is a lot easier for you to come to us than it is for us to take the committee to Port Hedland. Normally our committee is a little bit larger. We have more members than this but, unfortunately, other parliamentary duties and functions certainly make it very difficult for some of our members to come to Darwin because it is such a long way away. They now realise how difficult it is for me moving from here to Canberra every time we sit, so they've got a good idea of some of the distances that I have to travel, and of course you've come a long way too.

As you know, the committee is looking at whether the people of the Torres Strait would benefit from having a greater say in their own affairs; and, if so, how could this be done; if the islanders have a greater say in their own affairs, what would this mean for Torres Strait Islanders, such as yourselves, who live outside the Torres Strait region; and, whether ATSIC or the Torres Strait Regional Authority should represent Torres Strait Islanders, such as yourselves, who live outside the Torres Strait region.

We are very interested to listen to your comments on this issue. We also have some questions on these matters which we would like to talk to you about. We want to report accurately to parliament what you think. For this reason, we'll be recording your words so we make no mistakes in what you say. Later, we will send you a copy of what is said at today's talks so that you can check it and correct it, if required. Would you like to start by telling us how many there are in the community of Torres Strait Islanders and what you're doing in Port Hedland?

**Mr Aniba**—Port Hedland is a town, as you know. There is normally employment, especially with the BHP and all the other mining industries such as Cargill Salt, Hamersley Iron, Barclay Mowlem and also John Holden. They're the biggest industries in Port Hedland. A lot of Torres Strait Islanders are employed in those industries.

The population of Torres Strait Islanders currently is 200 people in Port Hedland alone, not including Karratha. The migration of Torres Strait Islanders from Queensland in search of employment, I would say, would be two every month, and that started in the 1990s. In the future, it is likely that the Torres Strait Islander population in Port Hedland will be increasing each year.

At the moment, Torres Strait Islanders feel themselves important and that there is no access and equity for Torres Strait Islanders. We are being disadvantaged, and that is even within the Aboriginal community itself. For example, Lagau Kazil was the first Torres Strait Islander community organisation, and it was established in Port Hedland in 1992. We asked for funding through ATSIC, but we had great difficulties. Last year, we received the first funding of \$35,000 since its establishment in 1992. That I see as very unfair. ATSIC should equalise Torres Strait Islanders in that level. Aboriginal issues are far more important, I would say, for ATSIC rather than issues that are confronted by Torres Strait Islanders.

For example, who knows how many times I've had an argument with the regional manager just to get

\$163,000 for Lagau Kazil to fully operate and service Torres Strait Islanders in Port Hedland. That has been a great difficulty for us to do that. Why is that?

The most important things, I think, are housing and employment. Again, Torres Strait Islander issues according to housing are just not taken seriously by, I would say, any government department in Port Hedland, both Commonwealth and state. So it is with the employment. A lot of Torres Strait Islanders that are migrating from Queensland to seek employment with companies such as BHP haven't got the skills, say, for apprenticeships or any training courses that these companies provide. They think that, with the skills they have in Queensland, they can come to Port Hedland and compete to gain employment with any employers in Port Hedland but, then again, Western Australia has got very different needs from Queensland because most Torres Strait Islanders that are migrating to Western Australia are not aware of what's really there in Western Australia.

The Torres Strait Islanders that are usually migrating are young families, people between their 20s and their 40s. That is the age group. They are married couples, singles and whatever. Most of them are coming to Port Hedland with up to seven people in the families. It is really getting to enormous numbers.

Also, in Port Hedland and Karratha, there are Torres Strait Islander people who intermarried back in the 1950s and 1960s when the Torres Strait Islander community was involved in assisting building the community, especially with the railway between Port Hedland, Newman and Tom Price. From the 1950s and 1960s, the Torres Strait Islander men have settled down and some of them are buried in Port Hedland and their families are now descendants both from Aboriginal and Torres Strait Islander races. Those families have now got sort of caught in between whether they are Aboriginal or Torres Strait Islander. Some of them have ties to Aboriginal people; some of them have ties to Torres Strait Islanders. So families themselves are having this problem of being rejected by the community.

Our role in Lagau Kazil is to try to put them back together again into whether they have ties to Aboriginal people or ties to Torres Strait Islanders. So the Torres Strait Islander community within Port Hedland is very difficult to say. For example, there is a Torres Strait Islander community in Broome, and the Torres Strait Islanders living in Kimberley are quite different from Torres Strait Islanders living in the Pilbara areas. I just want you to be aware that, in places like Broome and Karratha, we have completely different needs as well. Maybe that is because of the geographical areas that we live in.

For example, in Broome you'll probably have Torres Strait Islanders who are Asian looking compared to Torres Strait Islanders who are living in Port Hedland who have Aboriginal features. The enormous problems that we currently have are housing and employment. Do you have any questions so far?

**ACTING CHAIR**—I thought that I'd let you finish, Samuel. I thought we might ask Grace to say a few words, if she'd like. If not, the members have several questions they would like to ask. Grace, have you anything you would like to add to what Samuel has had to say?

**Ms Saylor**—This is the first time I get involved with the community in Port Hedland as chairperson. They elected me. Really I have been very quiet.

**Mr Aniba**—This is Grace's first time to a meeting as well. Grace was only elected as chairperson a couple of months ago.

**Ms Saylor**—I thought I would just sit back and listen.

**ACTING CHAIR**—I will ask you the first question, and that might help you. Do you think it is a good idea that the Commonwealth government has decided, through this committee, to evaluate the possibility of the Torres Strait Islander people getting more autonomy? Do you think it's a good idea that the Torres Strait people have more say in running their own affairs?

This has never been done before, and it's a very exciting prospect from my point of view and, I think, for members of the committee. How do you feel about the government calling for an inquiry? We've taken evidence mostly in Queensland and Alice Springs. The committee is going back to the Torres Strait in about another two weeks time for the final discussions. Hopefully, by the middle of the year, the committee may be in a position to table a report into the federal parliament. Do you think it's a good idea that somebody is finally caring about the Torres Strait Islander people? We know about 8,000 live in the islands, but there are 30,000 living on the mainland.

**Ms Saylor**—We never get anywhere with ATSIC, so I think that's a good idea.

**Mr Aniba**—I think that's what most of us in Port Hedland feel, that we should be separate. If there is a Torres Strait Regional Authority up there, why not have a Torres Strait Regional Authority in Western Australia apart from ATSIC? I understand that the Torres Strait Regional Authority has got the same functions and programs like ATSIC. It used to be ATSIC. It was just a change of name, but its function is pretty similar to ATSIC. Why not something like that in Port Hedland or even a little Office of Torres Strait Islander Affairs within ATSIC in Port Hedland?

**Mr QUICK**—You mentioned housing and employment issues, Samuel. What sort of access do you have to CDEP projects in Port Hedland and Karratha?

**Mr Aniba**—In Port Hedland, according to ATSIC, CDEP is for Aboriginal communities outside of the Port Hedland and Karratha areas. That is sort of like bush communities I am talking about, but not within Port Hedland. I suppose you could have a CDEP program running in Port Hedland itself, but it would do very little because we have a shire council that does all the work. Besides, our organisation and the members of our organisation see that as just a complete waste of time.

I used to work for Aboriginal Affairs back in 1977 when it changed over to ATSIC, and CDEP has been running since then—like they say, working for the dole. For Aboriginal and Torres Strait Islander people, it just didn't work. In other words, it just sort of made them feel that they had some sort of money in their hand rather than sitting back getting Social Security payments.

Where are all the training courses and stuff that can be recognised by mainstream employers? Where are the certificates to say that they have actually done this or they have the skills to do it so they can go out and seek employment in the mainstream for proper award wages? I think CDEP has been a complete waste of time and a waste of government money. If there was another Torres Strait Islander Commission, of course this would have been addressed a long time ago. I do not know what ATSIC is doing about it.

**Mr QUICK**—What training schemes for Torres Strait Islanders are there?

**Mr Aniba**—For example, in Port Hedland, there are very good opportunities that BHP is putting up for indigenous Australians to have training courses, but it's got to be culturally recognised. BHP and all those big companies have been aware of that fact, and they are putting out training packages for indigenous people in training areas and, of course, permanent employment for those people who are already trained and have the qualifications.

**Mr QUICK**—How do they operate? I am from Tasmania and this part of the world is foreign to me.

**Mr Aniba**—What do you mean, 'How do they operate?'

**Mr QUICK**—Say, BHP or Hamersley, do they advertise that there are so many training positions? Do they then go to ATSIC and say, 'We want 40 Aboriginal and Torres Strait Islander people to work'?

**Mr Aniba**—They are doing this through the Commonwealth Employment Service, but now the Commonwealth Employment Service will be abolished probably at the end of July. There will be no CES services. It will be all privatised. Aboriginal and Torres Strait Islander people are confused and lost about where to seek these employment opportunities.

The Lagau Kazil organisation has a target to look at labour market services in the Pilbara area. We have very good chances there because there is no other indigenous organisation in that area actually looking at employment because a lot of other organisations are into accommodation, CDEP, et cetera. But our organisation does not believe in CDEP because we feel that CDEP is dead. It's a dead opportunity for our people. For example, once you put a Torres Strait Islander into a CDEP, that person stays there until God knows when.

**Mr QUICK**—So, if we gave the Torres Strait Islander community greater autonomy and said, 'You could get adequate funding, the funding that you saw as essential to run whatever courses you need,' would you do things like training programs and education? Would you start up your own housing cooperative as part of training skills—for example, carpenters, builders, glaziers, bricklayers and things—so there would be a progress of training them and then houses would be built for the community and there would be some end skills?

**Mr Aniba**—I tell you what, Lagau Kazil, our Torres Strait Islander organisation in Port Hedland—I don't know about other organisations around the area—came up with very, very good ideas. This all comes from the members, who feel they should be—

For example, if there is an accommodation program, why doesn't Lagau Kazil, as a Torres Strait Islander community, get some money from somewhere else and tender for building contracts? Get qualified Torres Strait Islanders from the community who have skills in carpentry, electrics, plumbing, you name it. I tell you, there are Torres Strait Islanders who are qualified in those areas in Pilbara.

If this organisation has a chance to access some sort of wider variety to get money to run these things, we can employ qualified Torres Strait Islanders to build the communities, such as houses, or to put up joint ventures with BHP to do something else. We could have access for ourselves and self-running of the organisation. We could employ people and make them feel they are doing something for themselves and being part of the community and building the community at the same time. But we are lacking access to



funds. That is the main thing, I would say.

**Mr QUICK**—That leads on to my next question. Yesterday, we spoke to Torres Strait Islanders from another area and they said that they found it difficult to access ATSIC, with the whole hierarchy of ATSIC, in order to get their points of view across because they were outnumbered. When it comes to elections, you have 200 Torres Strait Islander people at Port Hedland so, if all of them voted for one or two candidates, you might get better access than some of the communities that are a lot smaller. What sort of representation do you have on ATSIC in Port Hedland?

**Mr Aniba**—Nothing at all. Nil.

**ACTING CHAIR**—Did you put a candidate up in the last ATSIC regional election?

**Mr Aniba**—The Torres Strait Islander community in Port Hedland recommended one, but that candidate refused. He is married to an Aboriginal. His background is Aboriginal and Torres Strait Islander. So, according to him, he said it would be very difficult for him to confront the issues of the Torres Strait Islanders when his wife is Aboriginal.

**ACTING CHAIR**—Why didn't you run?

**Mr Aniba**—I was only there from September last year. I will for sure, definitely, in the next three years.

**ACTING CHAIR**—A couple of hundred votes is a lot in that region.

**Mr Aniba**—I tell you, for the ATSIC commissioner now in Pilbara, 100 votes came from Torres Strait Islanders. That is what made him commissioner.

**Mr QUICK**—So I guess you have to educate the Torres Strait Islander people to say, 'Even though it might be difficult for you because of dual allegiance to the Torres Strait Islander and the Aboriginal community, in order to get adequate representation and get your points of view over, you need to vote in a block.'

Assuming we recommend that there should be greater autonomy for the Torres Strait Islander people, instead of building up another great big bureaucratic structure like we have—that is, if we take the TSI out of ATSIC and just have an Aboriginal Commission and a Torres Strait Islander Commission—how would you structure it so that it represented the people on the ground, rather than having a big building 10 storeys high that had no real links to the people in the Port Hedland or Broome area? Would you make the structure smaller and regional, rather than having it all based in Darwin, Brisbane, Sydney or Melbourne? Would you put it out in the community? How would you organise it?

You need money, first of all, and you also need a link into all of the other Torres Strait Islander communities so you are all working for a common purpose. If the government said, 'Samuel, here's \$10 million. You set up a new Torres Strait Islander Commission,' what would you do?

**Mr Aniba**—They have a Torres Strait Regional Authority up there, so I am going to leave that out.

But with the mainland Torres Strait Islanders, as you may be aware, we have the Office of Torres Strait Islander Affairs in Canberra within ATSIC. So with the government giving up money, OTSIA should be, I would say, an office of its own, completely separate, to access funds to organisations from Canberra instead of going through regional centres like ATSIC in Port Hedland. If the government would give out money nationally and, say, give it to the Office of Torres Strait Islander Affairs within ATSIC itself temporarily—it could be from the next financial year or the financial year after—that would be a stepping stone, sort of a test run to see if it's worth while giving Torres Strait Islander people a separate commission.

The other thing that Brisbane Torres Strait Islanders are now calling for is a national secretariat. There has been \$1.5 million already approved by the government for the administrative building in Brisbane. That is just for the construction of the Torres Strait Islander building in Brisbane alone. Plus there was \$300,000 for operating costs.

**Mr TONY SMITH**—Which government was that?

**Mr Aniba**—I think ATSIC approved \$1.5 million for one of the Torres Strait Islander organisations, IINA, in Brisbane at the time, but IINA was liquidated on 31 March. Torres Strait Islanders in Brisbane are still fighting to win that \$1.5 million which was granted and approved last week when I was in Townsville. That money has been given to them. They will now go ahead with constructing this national secretariat for Torres Strait Islanders, and they probably will end up with the same powers which we are trying to get now—a separate commission. So it will be a conflict.

In Port Hedland we don't want to get involved with a national secretariat for a start. We want direct contact with the government—directly, like ATSIC does. Even though the board of directors will have the power to say, 'This money should go to this organisation. This money should go to that organisation,' we feel that interstate Torres Strait Islanders, rather than Queenslanders, will still be disadvantaged because the majority of the population is in Queensland. We should establish something central—say, in Canberra—so Torres Strait Islanders in Western Australia, South Australia or wherever can feel part of it because there are already conflicts between interstate Torres Strait Islanders and Queensland Torres Strait Islanders.

There are conflicts about this national secretariat. Some interstaters say, 'We don't want it. We want a separate commission.' For example, Queensland is pushing for it more because they will have more access to it. It is a little bit difficult to explain but I would say that, if something can be established in Canberra alone, you could use OTSIA as a vehicle to distribute national funds.

**ACTING CHAIR**—As a vehicle to disseminate information and funds.

**Mr Aniba**—That is one thing I actually said when we had the meeting. I said to them, 'Leave out the national secretariat. Transfer the money back to national and give it to OTSIA, the Office of Torres Strait Islander Affairs, in Canberra where Benny Mills is'—I suppose you all know Benny Mills. I said, 'Grant that money for them. Let them distribute it among the Torres Strait Islander organisations,' because at this time we don't get anything.

**Mr TONY SMITH**—Just following up from that, Samuel, I find it very odd and I am completely unaware—unless I have missed something—that money of that magnitude was granted to set up something in Brisbane while an inquiry like this was running. Has that just been something recent?

**Mr Aniba**—This is the true view of the people in Port Hedland. We are talking about a separate commission and things like that, and here we go, the government is spending money stupidly—\$1.5 million for Queensland Torres Strait Islanders just to construct a building. What are they going to get out of the building? They are going to rent the building out to use as an overhead for an income for Torres Strait Islanders or whatever.

**Mr TONY SMITH**—It will create a big bureaucracy remote from the people, which is something we have heard from Torres Strait Islanders as being not what they want. I don't think it is what you want, either, by the sound of it. I think we should look into it because I am quite perturbed by it, given that we have an inquiry running and a decision like that was made and we don't even know about it.

**Mr Aniba**—The money has already been approved—\$1.5 million has been approved—and the national secretariat has been registered as a public company. We are forming a little coalition party to go against it because there will be people coming to Broome from Townsville and Brisbane to discuss this. There will be a big workshop in September, so I suggest that one of you people go to this workshop. It will be in Rockhampton in September. This is to discuss the national secretariat.

**ACTING CHAIR**—We can make a note of the concern raised by Mr Smith, and we might have it as an agenda item at our next meeting. Does that satisfy you, Tony?

**Mr TONY SMITH**—Yes. Just as a little background from you both, how long have you or your families been at Port Hedland and Karratha?

**Ms Saylor**—For myself, Sam made the mistake of saying 23 years. It is about 11 or 12. I have been in Port Hedland for that long.

**Mr TONY SMITH**—Are there Torres Strait Islanders who have been there longer than that?

**Ms Saylor**—Yes.

**Mr TONY SMITH**—Much longer?

**Ms Saylor**—Much longer, where they have kids intermarried, and even in Karratha.

**Mr TONY SMITH**—Why did Torres Strait Islanders go there in the first place?

**Ms Saylor**—That is where they started the railway. They laid the railway from Port Hedland.

**Mr Aniba**—For employment.

**Mr TONY SMITH**—The idea obviously was that there was not much work in the Torres Strait Islands themselves, so Torres Strait Islanders moved to where there was a possibility of getting work, and no doubt education too for their kids ultimately. Is there plenty of work around now or is there less?

**Ms Saylor**—With all the construction coming in now, there is a lot coming in and there is plenty of work, but there is no—

**Mr Aniba**—The employment is booming now. The vacancies are there.

**Mr TONY SMITH**—You were saying there was plenty of work but there is no something.

**Ms Saylor**—There is no qualifications with the boys.

**Mr TONY SMITH**—Meaning the young fellows?

**Ms Saylor**—They are not qualified.

**Mr TONY SMITH**—They have not got trades or something?

**Ms Saylor**—No.

**Mr TONY SMITH**—Aren't there apprenticeships there?

**Ms Saylor**—There are, but mostly they go working on the railways.

**Mr TONY SMITH**—Have the next generation of boys and girls—from Torres Strait Islander families and intermarriages, too—gone to school and high school there?

**Ms Saylor**—Yes, they have. But very few go into the apprenticeships with BHP.

**Mr TONY SMITH**—Very few?

**Ms Saylor**—Yes, very few.

**Mr TONY SMITH**—Why is that?

**Ms Saylor**—I don't know. I can't say. Maybe there is something there.

**Mr Aniba**—Can I carry on from there?

**Mr TONY SMITH**—Sure.

**Mr Aniba**—A young Torres Strait Island school leaver in grade 10 will automatically seek employment with BHP, for example, but they will say, 'No. You have no qualifications.' Then that kid will actually come to us at Lagau Kazil seeking that opportunity that we can go and get—for example, training in boilermaking at one of the local TAFE colleges.

The TAFE college that we have there is Aboriginal run. It is an Aboriginal Pundulmarra College. There are Aboriginal people on the board. It is run by Aboriginal people. There is an Aboriginal director. If you are a Torres Strait Islander wanting these opportunities in that college, do you think they will take you? No, because you are a Torres Strait Islander.

**Mr QUICK**—You're joking! So it is discrimination.

**Mr Aniba**—There is discrimination between Torres Strait Islanders and Aboriginals existing in Port Hedland. That answers it. Grace's son went for a cleaning job in an Aboriginal medical centre in Port Hedland. He was rejected because he is a Torres Strait Islander. The lady said, 'No, this is an Aboriginal medical centre. You're a Torres Strait Islander.'

**Mr QUICK**—But it is A-T-S-I-C. Not A-C.

**Mr Aniba**—I know. In Broome—I don't know if Joe informed you—Saam Kerem went through a lot of difficulty obtaining funds. So someone went and spray-painted over the TSI in front of ATSIC and left it as Aboriginal Commission.

**Mr TONY SMITH**—This is an immediate and very serious matter which obviously the committee is very interested in.

**Mr Aniba**—Like I said, there is no access and equity for Torres Strait Islanders in Western Australia, in Port Hedland.

**Mr TONY SMITH**—Because of that, that is holding your people out and your people are not getting into the apprenticeships.

**ACTING CHAIR**—They have not had a fair go.

**Mr Aniba**—At the moment, there are about 100 boys employed in railway construction as labourers.

**Mr TONY SMITH**—But they could be apprentices?

**Mr Aniba**—They could be apprentices in BHP, Cargill Salt and all the other companies.

**Mr TONY SMITH**—In other words, they have left school with the ability to get into TAFE but the TAFE has knocked them back?

**Mr Aniba**—Yes.

**Mr TONY SMITH**—Have you got any documentation that supports that or is it just people saying, 'Look, there is no room for you or whatever'?

**Ms Saylor**—There is a new manager in Pundulmarra.

**Mr Aniba**—Roger—he is from South Australia.

**Ms Saylor**—He sounds all right.

**Mr TONY SMITH**—You don't know his last name, do you?

**Mr Aniba**—No.

**Mr TONY SMITH**—So he is the director of the Pundulmarra College. That is a TAFE college at Port Hedland, is that right?

**Mr Aniba**—Yes. There is another TAFE college there—Hedland TAFE College—but mostly, our people don't access that that much. They like to go into Pundulmarra because they feel that Pundulmarra College has the staff there—

**Ms Saylor**—It is there for the darkies.

**Mr QUICK**—It is culturally sensitive?

**Mr Aniba**—Yes.

**Mr QUICK**—Assuming we could change the attitude, do they have the money to take everybody who wants to go into that TAFE college, or is there only enough money for the number of people who are in there, irrespective of whether they are Aboriginals or Torres Strait Islanders?

**Mr Aniba**—There is one way you can change it. If there is money available and that money is only available for Torres Strait Islanders, of course there will be a majority responding for it.

One thing with Aboriginal people is that the money is there but they don't access the opportunity. I am not saying the Torres Strait Islanders are better than the Aboriginal people, I am just saying there is a majority—

For example, in the boilermaking training course now in Port Hedland, there are three Torres Strait Islander girls doing boilermaking, and you can't see an Aboriginal girl doing boilermaking. It is things like that. Even though opportunities are there, some of them don't want to access them, whereas Torres Strait Islanders are very eager to access those opportunities because in the first place they are there for the employment.

**Mr TONY SMITH**—If there were economic opportunities back on the Torres Strait Islands, do you think many of your people would want to return home? In other words, if there were jobs, training, better education and better health, do you think many of your people would like to go home?

**Mr Aniba**—I don't think so, culturally. Some of our people have died and are buried in Port Hedland.

**Mr TONY SMITH**—So you've really made your home there?

**Ms Saylor**—Yes, Port Hedland is my home.

**Mr TONY SMITH**—Maybe some would go back, but not many, if there was a job; is that right?

**Ms Saylor**—Maybe a handful, I think.

**Mr QUICK**—But you always see yourselves as Torres Strait Islanders?

**Ms Saylor**—Yes.

**Mr QUICK**—So, even though the link isn't as strong as it might have been, as generations go and the children, for example, develop work skills and employment and raise families, do you think the links will gradually become weaker and weaker?

**Ms Saylor**—I don't think so. They still call themselves Torres Strait Islanders.

**Mr QUICK**—So you'd have your own cultural centre, like what they're talking about in Broome, to pass the ceremonies down and what not?

**Mr Aniba**—Yes, to both questions. There are some who are three-quarter Torres Strait Islander, but one thing that identifies them as a Torres Strait Islander is the Torres Strait Creole. That is what makes them Torres Strait Islanders because they can actually speak it.

**Mr LLOYD**—I just want to clarify the funding situation with Lagau Kazil. Do you get funding from ATSIC?

**Mr Aniba**—Yes.

**Mr LLOYD**—How much funding do you get from ATSIC to run your organisation?

**Mr Aniba**—Last year it was \$35,000. This year it was \$31,000.

**Mr LLOYD**—Do you feel that that's a fair amount?

**Mr Aniba**—I think that's greedy. That's unfair.

**Mr LLOYD**—When you say greedy—

**Mr Aniba**—Because we're a Torres Strait Islander organisation, they just don't want to give us money.

**Mr LLOYD**—So you are saying they're greedy because they don't want to give you money?

**Mr Aniba**—Our issues are the last priority to them. That's what it is.

**Mr LLOYD**—You say \$35,000 one year and \$31,000 the next year, what do you use that money for? The funding that you get, what use do you put that funding to?

**Mr Aniba**—For the office administration. That's for the wages, salaries and operational costs. Now they're saying to us, 'But you haven't got any projects. You haven't come up with any projects.' I said, 'How can we start a project when we are functioning with \$31,000?' We work four hours a day paid administrative work and the rest is voluntary.

**Mr LLOYD**—Have you put any applications for specific funding for a particular project?

**Mr Aniba**—We did and now ATSIC is saying that they don't know where to categorise us, where to categorise that into what program. I think that's bullshit because they just want us to close down. That is what it is.

For example, three weeks ago Grace and I were with the regional manager and had an argument with her. We were trying to put a point across that we are looking at economics, that we are looking at labour market services. We should go under an economic program and the \$160,000 we were asking for is for the office administration costs for a full-time administrator, a full-time project officer, an admin officer, plus two trainees. We would employ two trainee project officers, a trainee admin officer and a trainee for the Aboriginal program. We specifically outlined what we want that money for and what project we will then start in economic ways.

For example, the regional manager said, 'What program do you think?' and I said, 'I can see it clearly. It's a community initiative economic scheme that we are asking for, miners from that scheme.' She said, 'But what have you done?' In other words, we were just going round in circles and it got me up to the stage where I was frustrated. They're just not on.

The regional manager herself is from Canberra and doesn't know anything about the Torres Strait. She is a white person. She is from Canberra. She doesn't know anything of Torres Strait cultural values, nothing. I don't know, maybe she knew a little about Aboriginal people. Fancy employing a regional manager all the way from the southern states for remote areas such as Port Hedland where it is very culturally sensitive!

**ACTING CHAIR**—I have probably the final question. In ATSIC's submission to the committee in February 1997, part 21 says:

ATSIC has taken steps to emphasise to all regional councils that they represent all indigenous people within their areas. We have reviewed the decision-making principles for regional councils to encourage them to give equal consideration and representation to all indigenous people under their responsibility.

That statement was made by ATSIC, who is claiming it is not correct.

**Mr Aniba**—It is not correct at all. Section 82 says that moneys can be made available through other programs for Torres Strait Islander initiatives, that is where I said to the regional manager, 'What about section 82? Can we access funds through that act?' She said, 'No, that is for conferences.' I said, 'For a start, our organisation is only in the infancy stage. At least give us some money to organise meetings or conferences for networking.' She said, 'It is not actually for networking.' What is this? It is really frustrating.

**ACTING CHAIR**—I could suggest that I'll ask the chairman, Mr Lou Lieberman, to send you a letter enclosing a copy of the ATSIC submission to this committee but, now that you have met some members of the committee, you have an idea of what we are about and where we are going. There is a timetable in terms of providing the parliament with a report, which will be a little bit later on this year, so you haven't got a lot of time, but you may feel that you would like to provide the committee with some written comments. We are having hearings in Darwin, but you may feel that there may be something else that your organisation might like to bring to the committee's attention.

Therefore, I would invite you to put pen to paper and provide to the secretariat any further information that you feel you may have missed in this morning's discussions. I feel that we should provide



you with a copy of the documentation as provided to us by ATSIC with regard to their submission for greater autonomy of the Torres Strait.

On behalf of the committee, I thank you for being here this morning. Thank you for coming from Port Hedland and saving us the trip down. I would have liked to have gone back to Port Hedland but, unfortunately, time didn't allow. As I say, we've given you the opportunity to provide this committee with any further written information that you feel may be important for its deliberations. Thank you very much, indeed.

**Mr Aniba**—Thank you.

[9.12 a.m.]

**McDOUGALL, Mr Ross, Acting Deputy State Manager, ATSIC, PO Box 40670, Casuarina, Northern Territory 0810**

**ACTING CHAIR**—Good morning, Ross. I welcome you to this meeting of the Commonwealth parliament's Aboriginal and Torres Strait Islander Affairs Committee. As you know, the committee is examining whether the people of the Torres Strait would benefit from a greater degree of autonomy; and, if so, what forms a greater degree of autonomy should take; what the implications of any greater autonomy would be for Torres Strait Islanders, such as yourselves, who live outside the Torres Strait region; and, whether ATSIC or the Torres Strait Regional Authority should represent Torres Strait Islanders who live outside the Torres Strait region.

We have come to Darwin to hear your comments on these issues. We have also come to take evidence from ATSIC for the committee's inquiry into the CDEP phase 2 audit. The committee will not be swearing or affirming witnesses, but I remind you that the hearings today are legal proceedings of the parliament and warrant the respect as proceedings of the House itself. The evidence given today will be recorded by *Hansard* and protected by parliamentary privilege. Mr Quick has some questions.

**Mr QUICK**—I guess in my mind it boils down to a couple of simple premises: why has there been the need for this inquiry if ATSIC, as a body representing both Aboriginals and Torres Strait Islanders, has been doing the right thing; is there a need, because there appears to be a perception that the 30-odd thousand Torres Strait Islanders are not getting adequate access and equity representation through ATSIC nationally; and do we need to do the radical surgery and split it into AC and TSIC or revamp ATSIC to adequately address the concerns of Torres Strait Islanders right across Australia?

After reading the ATSIC submission, can you start off by saying, 'We need radical surgery,' or do we need a serious look at addressing the whole issue of access and equity, and that could resolve the situation? Our recommendations could follow that avenue rather than the major surgery issue.

**Mr McDougall**—I believe that the problem stems from a lack of funding available to meet the needs of Aboriginal and Torres Strait Islander people. My substantive position with ATSIC is as the regional manager of the Nullemboy region, and I can use that as an example. The housing need in that small region is in the order of \$130 million to \$140 million. There is available between \$5 million and \$6 million a year to meet that housing need. Obviously, there is an enormous difference between the money available and the need. I think that is symptomatic of the problem right across—that is, there are insufficient dollars to meet the need.

Obviously, because of that lack of money, the people in a lot of cases quite rightly believe that they're missing out on the dollars that are available. There certainly is a lot of money put into Aboriginal affairs, but there certainly is a very large need still there that hasn't been met yet.

**Mr QUICK**—Following up on that issue of housing, of that \$5 million that is spent annually on housing, is there an allocated proportion to say, 'There's a certain percentage of Torres Strait Islander people. If we're building 1,000 houses, do 100 go to Torres Strait Islanders and the other 900 go to Aboriginal people?' There's an understanding within the community that that proportion is spent so there is adequate

access and equity and people understand that nine-tenths and one-tenth is apportioned according to that sort of simple formula. If people are aware of that, they're happier to know that next year there are going to be a certain number on the list and when the next 100 Torres Strait Islander houses are built they'll have access to them.

It appears to me at the moment that no-one is really understanding and aware of what the process is for something as simple as housing or, as you probably heard, access to TAFE colleges. There is a perception that it's all or nothing. Whether that perception is right or not, and if it isn't right, how do we change that to say, 'It's not right and we can cite examples of kids who have done wonderfully well who are from the Torres Strait and they have accessed educational opportunities and we can highlight them,' or, 'These are the number of people who have been housed who are Torres Strait Islanders, what are you people complaining about?' That message could be spread around the community.

How do we get over that step? You have a wonderful bureaucracy. Everywhere we travel you seem to have all the capabilities of an ordinary instrumentality in sending a message out. There are numerous pamphlets that we receive on a regular basis both at home and also in Parliament House in Canberra. Is the message not getting out, or isn't there a message to send?

**Mr McDougall**—If we continue to use the example of housing, the housing money that's available in a region, the split up of that money is determined by the regional council, the elected arm of ATSIC.

**Mr QUICK**—We've heard that, if you don't have any Torres Strait Islanders on it—I would like you to be able to say, 'Harry, I'll take you out at lunchtime and take you to six TSI families who have been housed in Darwin and who can refute what other people are saying.' Unless we can do that sort of stuff, I think the system is failing everybody.

As you are well aware, there are various sections in the community who are saying, 'ATSIC is totally on the wrong track. It ought to be abolished and the money ought to go somewhere else.' So, if we can refute some of those things by examples, I think it is really important. Back to this representation thing, if there aren't any TSI people on ATSIC, is it because they have not organised themselves politically yet?

**Mr McDougall**—I guess you could use the same argument about the number of Aboriginal people living in TSI whether they are on the Torres Strait board. That is a similar sort of argument, and we could also bring it back to parliament itself. In particular, minority groups are not represented in parliament specifically with a member. So the same problem exists across any elected body: you're not going to get every portion of the community represented.

They certainly could point to each of the regional councils in the Northern Territory and say, 'There are no Torres Strait members on those regional councils.' That's true. There aren't. But it becomes more complicated in that, if you bring it down to a particular regional council, there are different family groups, tribes, clans or whatever, and some of those aren't represented on regional councils with a specific member.

I don't think that you can overcome that. For example, you might have a region where there's a total of maybe 9,000 Aboriginal people and there might be 30 or 40 Torres Strait Islanders and you have a regional council of 10 or 11 people. If you set aside one of those positions for a TSI representative, it's going to be out of proportion to their representation within the community as a whole. Torres Strait Islander people

are still eligible to vote in regional council elections. So it is the same for a lot of other minority groups—that is, whilst they are free to vote in elections, the small numbers of them makes it difficult for them to have a lot of sway in the voting.

**ACTING CHAIR**—How many Torres Strait Islander people do you think there are living in the territory? Are they mostly employed? What is their status in the community? Do you have any idea?

**Mr McDougall**—I really have no idea. It would be a total guess and I would prefer not to guess. The Bureau of Statistics do have that information. Last week we spoke to them, but it was going to take 14 days to get the information extracted.

**ACTING CHAIR**—When you get it, would you mind passing it on?

**Mr McDougall**—We didn't proceed because we wanted to have it available for today.

**ACTING CHAIR**—But when you do get it in 14 days time.

**Mr McDougall**—We didn't proceed because they told us at the time it would take 14 days, so there was no point as we were talking to you today and they wouldn't have it for another 10 days.

**Mr QUICK**—Was this from the 1996 census?

**Mr McDougall**—No. It would have only been information from the previous census.

**Mr QUICK**—Which is six years old.

**Mr McDougall**—Yes. I guess the best it would do is give a bit of an idea.

**Mr QUICK**—I raised the point yesterday that in New Zealand the Maori tribes actually have a list of their people. Yesterday we spoke to the people in Broome, and they said, 'We could put on the computer a list of Torres Strait Islander people.' Has ATSIC got to that stage? It should be easy for the TSIs, because we are roughly talking about 30,000 or 35,000 Torres Strait Islanders, which is less than the membership of the Port Adelaide Football Club, and they have a mailing list and their bureaucracy is nothing like ATSIC's bureaucracy.

Why haven't we got these lists so they can say, 'We have X number of people who identify themselves as Torres Strait Islanders. We have X number of people between the ages of, say, 16 and 25 who obviously are in need of some sort of educational opportunity and training program.' We can then say, 'We have 2,700 post-secondary people. What do we need in the way of resources to enable those 2,700 people to access programs? And, of that 2,700, there are 50 here and 50 there.'

To me, as a former teacher, you work on those sorts of figures to justify the expenditure to whoever the bean counters are wherever they are up the tree. If we don't have those figures, the arguments that the last witness gave us about access and equity into the TAFE colleges in Port Hedland don't hold water. They would hold water if he said, 'Look, we have 57 kids who have finished year 10 and they obviously have some academic skills and interests. We need X number of thousands of dollars to run programs.' But if no-

one has those figures, you are whistling in the dark.

**ACTING CHAIR**—That might be a question that the chairman of the committee could direct to the chairman of ATSIC. Ross is the Acting Deputy State Manager.

**Mr QUICK**—I don't expect Ross to have the answers, but to me that is the way it is. We are not asking for a big lot of numbers. As I say, football clubs have that with their mailing lists and marketing, and they are not anywhere as well organised structurally as ATSIC.

**Mr McDougall**—I guess what I can say in relation to that is that the issue of any government agency keeping dossiers or information on individuals is something we try not to do unless there is a specific reason for it. Really, in ATSIC, the only time we get detailed information in terms of individual indigenous people is in relation to the CDEP scheme where we require details on an individual in order to confirm that that person is eligible for CDEP. In order to minimise the amount of detail that we want on an individual, we really only require an authorised person in a community to certify that the person is Aboriginal or Torres Strait Islander. It does not require them to differentiate. They just tick a box—'Yes, they are.'

**ACTING CHAIR**—And living in that community?

**Mr McDougall**—And that they are recognised as Aboriginal or Torres Strait Islander. But it does not require you to tick one box for Aboriginal or a different box for TSI. I guess the underlying basis for all that is for us to try to keep to a minimum the amount of information that we have on individuals. There is the question of privacy.

**Mr QUICK**—But once again I get back to my point that there is enormous pressure out there in the greater world on ATSIC. If you have that information, you can then refute that and say, 'We've got all these various answers to all the questions and, as a result of having all those answers, we have got positive programs to address the problem of the immunisation rate of kids from zero to five and the training programs for people 15 to 25.' You can justify and knock down the flags that are being flown all around Australia at the moment.

I understand what you are on about. I have great support for the Aboriginal and Torres Strait Islander community, and I think some of the things that have been done in the past need to be rethought and refocused. It all comes down to having the information at your fingertips to be able to say, 'We have 2,700 young people who are in need of training. We have X number of families who are in need of housing. We are doing something to address that housing need, because we have these 2,700 people, of whom 80 are apprentice carpenters, 60 are apprentice plumbers and 60 are apprentice whatever. We're going to address that problem ourselves. You won't give us all the money, so we're going to go out and build the houses ourselves. We can take you to site X and there are 27 houses there that the Aboriginal young people have built from the skills they have developed.' That refutes all the other questions that people are raising by saying, 'You guys are wasting all this money. You don't know what you are doing. Let's give them less.'

**Mr McDougall**—Certainly in the Northern Territory, the number of Torres Strait Islander people is fairly low. I would not like to hazard a guess at the actual numbers. Just from my experience, particularly in the region I normally work in, there is no specific problem being brought by the Torres Strait Islander community as a separate community to our attention at all.

Certainly, there is the ability for Torres Strait Islander organisations to seek funding from ATSIC. Under the act, we are required to deal with those applications. They are not rejected because they are from Torres Strait Islander people. As I said previously, the division of the funds is at the discretion of the elected arm—the individual regional councils. I do not think—certainly not from my experience—there has been any positive or obvious discrimination by those regional councils against Torres Strait Islander people. I think generally they are sympathetic.

But it comes back to the fact that there are not enough dollars to meet the needs across the whole community anyway, and there are a lot of Aboriginal people who feel that they do not receive sufficient funds as well. I can understand the frustrations of the Torres Strait Islander people.

**ACTING CHAIR**—But you operate, as I understand it, probably one of the biggest CDEP programs in Australia, probably the third largest.

**Mr McDougall**—That is right.

**ACTING CHAIR**—In that group, how many TSIs would you have? Any idea?

**Mr McDougall**—Not really. Just from my observations of the last few years, I think we would be lucky if there were half a dozen or a dozen. There would be a lot more Tongans—many more Tongans—in the Nullembo region than there would be Torres Strait Islanders.

I did many years ago work in Central Australia and there were a number of Torres Strait Islander people in Central Australia. Mostly they are there because their spouses are Aboriginal people. So I guess within those communities, where one partner is Aboriginal and the other partner is Torres Strait Islander, the two cultures have come together and there is really no discrimination against them at all because one of the partners in the couple is Aboriginal, one of the local people. It seems to work fairly well in those situations. I don't think the Torres Strait Islander people, from my experience in Central Australia, feel that they're being discriminated against.

**Mr QUICK**—Is that because you are doing it better than, from what we hear, Queensland and Western Australia?

**Mr McDougall**—That is a leading question and I think I would be in trouble if I said yes. I think the situation is different.

**Mr QUICK**—This gets back to my original premise—that is, do we need a major surgery or do we, in certain parts of Australia, alter the structure once we know exactly how many people we are talking about?

**Mr McDougall**—Possibly. I would certainly think there would be a lot more Torres Strait Islander people on the mainland in Queensland than there would be, say, in the Northern Territory or Western Australia.

**ACTING CHAIR**—And Western Australia and South Australia combined, I would say.

**Mr McDougall**—Obviously, it is physically a lot closer. I guess over the space of thousands of years

there would have been trade, one would imagine, down the coast of Queensland from Torres Strait Islander people and vice versa—movement backwards and forwards. It is similar to East Arnhem Land, where Aboriginal people there have a long history of association with people from the north—the Macassans.

**Mr QUICK**—So if we did come up with a recommendation that we give them greater autonomy and they set up their own structures, what would this do to ATSIC? It would just become AC in the Northern Territory. Would it make it any easier or any more difficult for you?

**Mr McDougall**—I would have to refer to what the board of commissioners of ATSIC has to say on that. I guess as an officer of ATSIC, we alter the way that we operate in order to meet what the board wants us to do. That is what we are employed to do. If the board makes a decision, we will accommodate whichever way the board wishes to go. We could argue that it might create more work for us, but that is what we are employed to do.

**Mr LLOYD**—Just briefly, I see this lack of identification of Torres Strait Islanders as being crucial to the concerns that have been raised throughout Australia, because it is a very common theme that Torres Strait Islanders have raised—they feel they are not getting a fair go from ATSIC. Is it feasible to establish a register of Torres Strait Islanders throughout Australia or at least throughout your area?

**Mr McDougall**—I think once again I would have to raise the privacy problems with that. There may be Torres Strait Islander people—some, all or maybe none—who may not wish to be included on a register. So unless you are going to make the register compulsory, it would be difficult to know of what value it is. If you are getting 50 per cent of the people agreeing to be on the register and the other 50 per cent not wanting to be on it—because I don't think we could force people to be on it—it would create a problem in that it would not be accurate.

**Mr QUICK**—But if we said, 'We are going to set up an autonomous group and if you want to "benefit" from whatever flows from that new autonomous group, you have to be a registered person identified as a Torres Strait Islander,' how do you see that, in light of Jim's question?

**Mr McDougall**—I still think it could bring in some problems of invading people's privacy. They may not wish to be on it, but then if there is something specific, similar to CDEP.

When someone wants to go on the CDEP, they need to have confirmed that they are an Aboriginal or Torres Strait Islander person and there is a specific reason as to why they are identifying at that time. But to have a register sitting there that may not be for any specific reason, I think, raises a problem of invasion of privacy.

**Mr QUICK**—As I mentioned yesterday with the New Zealand Maoris, when it came to native title, one of the tribes—the Tainui tribe—identified all the people who said that they were Tainui not only in New Zealand but also in Australia and other parts of the world because there was an obvious number of dollars that were going to go to that community. Also, when there are elections for ATSIC commissioners, you must have a register of people, surely, who are identified as being eligible to vote in ATSIC elections.

**Mr McDougall**—That is done by the Australian Electoral Commission where people are registered to vote.

**Mr QUICK**—Could the AEC have a list of Torres Strait Islanders?

**Mr McDougall**—I guess there is no reason why they couldn't, but then it comes back to, as I said before, there are some people who may choose not to identify unless there is a specific reason. Other sections of the community are not having to say, 'My ancestry is Irish,' or 'My ancestry is Italian.' We are not asking other segments of the community to identify their origins.

**Mr LLOYD**—We do under the census, though, as a background. Under the convention of mutual obligation, basically these people are asking for government support—that is the whole basis of what they are doing—and I think there is a mutual obligation. If they want to be involved in programs that the government is putting forward, the obligation is there for them to register as being eligible for that program. To my mind, under those conditions, I don't see a problem.

**Mr McDougall**—I guess the other side to it as well is that we do not maintain any register that lists Aboriginal people, either. If we do one for Torres Strait Islanders, should we then do one for Aboriginal people?

**Mr LLOYD**—How do you identify that people are eligible for ATSIC services?

**Mr McDougall**—When they're applying for funds as an individual, they need to obtain a certification that confirms their Aboriginality. Basically an Aboriginal organisation will confirm that the person is Aboriginal and is accepted by such as the community within which they live.

**Mr LLOYD**—And that causes no problems?

**Mr McDougall**—Occasionally, I have been aware of a problem just from the press. I think there was some problem in Tasmania.

**ACTING CHAIR**—You are always having trouble down there, Harry.

**Mr QUICK**—I know.

**Mr McDougall**—I think the basis of it was more a personality clash. One particular group did not want to give the certificate to another group for reasons that were a bit mischievous, I think. But, generally, there is no great difficulty in determining the person is of Aboriginal descent.

**Mr TONY SMITH**—One of the things that I have really learnt from this committee and the inquiry is the enormous difference between Aboriginals and Torres Strait Islanders. What you have just confirmed for me is this total blurring of the difference.

I think the whole culture of ATSIC is just it is one race of people. It is like saying, 'Are you a New Zealander or an Australian?' And I would say, 'An Australian,' not tick, 'Yes.' Do you see what I am saying? What I am saying is the question you see everywhere is, 'Are you an Aboriginal or a Torres Strait Islander?' You see this commonly on forms. Not, 'Are you an Aboriginal?' or 'Are you a Torres Strait Islander?' It is very, very patronising and paternalistic.



There is a big difference between Australians and New Zealanders. There is an even greater difference between Australians and Americans. There is a big, big difference between Aboriginals and Torres Strait Islanders, and we have not seemed to have recognised that.

It seems to me that what you are saying, effectively—without wishing to sound critical of what you are saying—is that there is a culture of merging the two groups, when what we are hearing is, ‘We’re different. We are Torres Strait Islanders.’ May I just query the fact that you have not got those figures. I take it you asked for those figures just recently?

**Mr McDougall**—Yes, the middle of last week.

**Mr TONY SMITH**—I really query that. Why wouldn’t you have those figures on hand here as part of your operation?

**Mr McDougall**—The figures that we have are the total Aboriginal and Torres Strait Islander community numbers. They are not broken up into Torres Strait and Aboriginal.

**Mr TONY SMITH**—Where did you get those figures from?

**Mr McDougall**—Primarily, we use Australian Bureau of Statistics figures, but we do have figures for individual communities and they come from a number of sources. One very good source of fairly accurate figures is the health department because most people at one time or another deal with the health department, unfortunately. It is not that there is anything wrong with the health department; it is just a shame that people have to deal with them because they are obviously sick.

You’re saying that you could separate Torres Strait Islander and Aboriginal people—and they are quite different. It is reasonable to say that, whilst Aboriginal people around the whole of Australia are lumped into one group as well, they all are certainly descendants of original Australians. Yuenu people, say, in Arnhem Land have a quite different culture from Koori people in south-eastern Australia. So why aren’t we breaking them up as well? If you are going to ask people to be split between Torres Strait Islander and Aboriginal, you ask them to identify as to whether they are Wongi, Yuenu, Bardi, Koori or whatever.

**Mr TONY SMITH**—I personally believe you should be distinguishing different tribes, but that is another issue. It is a separate issue for the people who ethnically lived in a different place from Aboriginal people. When I say ‘different place’, I mean separated by water. There is a very clear distinction on that basis alone, whereas obviously tribes are often separated by delineated districts and various things of that nature.

So would you really believe that you could be a bit more effective, or be seen to be a bit more effective, if you were able to say, ‘Yes, this is a group of Torres Strait Islanders in the territory and we look after this particular group’? That is what we’re particularly concerned about, Torres Strait Islanders.

**Mr McDougall**—I guess it’s difficult to say whether we would be until we were actually doing it, and then you would really need to ask the people at the receiving end rather than the people at the delivering end.

**Mr QUICK**—If there are only 16 Torres Strait Islanders in all of the Northern Territory, why spend any money on them because you’ve got 7,942 indigenous Australians? It’s a small percentage. But, if you’ve

got 3,000 of them that are there and no-one's aware of them, you've got a problem that we're all trying to allude to. To me, with such an organisation, if you don't have the figures, how can you put programs in place to satisfy their needs? As I say, if it's only 16, you can say, 'We're catering for their needs.'

**Mr McDougall**—One of the other ways of looking at it is that applications that are submitted to ATSIC for funding require the applicant to detail the number of people who are going to be serviced or benefit from the funding that they're seeking. So maybe the other way to go about it is to put the onus back on them. If you've got a Torres Strait Island group applying for funds, they should be able to provide to us details of the number of people the program they're proposing is going to benefit. So maybe that's another way of doing it that doesn't create a large drain on limited resources.

**ACTING CHAIR**—In view of the fact that the information you say is very sparse in terms of who are TSIs and who are not, obviously because of the confidentiality provision in your documentation, would it then not be a good idea to have separate commissions—an Aboriginal Commission and a Torres Strait Islander Commission—so that information would be brought together so that the government could then focus on two separate groups? At the moment, you're saying, 'We don't know who's who because of the confidentiality provisions. We don't ask them to tick a box whether they are TSI, et cetera,' and that poses some problems for you.

I've been living in this community for many years and the number of Torres Strait Islanders that I'm aware of is very limited, just like you. But, at the same time, there are Torres Strait Islander people in Central Australia, there are probably some in Tennant Creek—collectively, there would be a number. How would you feel then, because of the lack of information, about having two commissions?

**Mr McDougall**—I guess it's really up to the board of commissioners.

**ACTING CHAIR**—That's your personal view?

**Mr McDougall**—I really have no personal view on it. It's one of those things that I've never really thought about. I'm aware that there is a Torres Strait Islander Board that deals with issues in the Torres Strait itself, but obviously the Torres Strait Islander people believe that there is some problem on the mainland in their accessing services.

I guess it probably has to come back to how much they attempted to seek funding. As I said, they can put applications in seeking funding. Maybe that's another area that needs to be examined—that is, how many specific applications for funding have TSI organisations put into ATSIC on the mainland and how many of those have been rejected for whatever reason? That might give us an indication. It's well and good for people to say, 'We don't get any access to programs or funding,' but the other question that needs to be asked is, 'Have you actually specifically applied for funding?'

**ACTING CHAIR**—They also have the capacity at the same time to come through the normal channel for ATSIC anyway.

**Mr McDougall**—Yes.

**Mr QUICK**—But, on page 23, you state:

The commission has recently requested the Office of Evaluation and Audit to evaluate the effectiveness of Torres Strait Islanders accessing commission programs. This review will commence shortly.

If you can't identify how many we've got and you're going to have an evaluation, how much is that going to cost? You're talking about a lack of resources. You could write a letter to 20,000 of them and say, 'How well are you accessing the things?' but, if we don't know who they are and we're asking the Office of Evaluation and Audit to conduct an effectiveness audit of the commission programs, I think we're going about it the wrong way. So I don't know who's organised that and whether that's coming from Canberra or not, but I would be interested to ask some people some questions about why that decision was made.

**ACTING CHAIR**—We have another meeting with them at some stage.

**Mr TONY SMITH**—Do you know anything about that?

**Mr McDougall**—No, I'm not aware of how they're going about it. I haven't seen the terms of reference of the review that they're proposing to do.

**Mr TONY SMITH**—You haven't received any requests from Canberra about providing any data about Torres Strait Islander programs?

**Mr McDougall**—No, I'm not aware of any requests that we've received.

**Mr QUICK**—I thought I would ask that.

**ACTING CHAIR**—I am advised we can find that information out, Mr Quick. Thank you very much, indeed, Ross.

**Short adjournment**

[11.23 a.m.]

**BON, Mr Douglas, 35 Rattray Street, Nakara, Northern Territory 0810**

**ACTING CHAIR**—Good morning, Mr Bon, and welcome. Thank you for coming to talk to us today. As you know, the committee is looking at whether the people of the Torres Strait would benefit from having a greater say in their own affairs; and, if so, how could this be done; if the islanders have a greater say in their own affairs, what would this mean for Torres Strait Islanders, such as yourself, who live outside the Torres Strait region; and, whether ATSIC or the Torres Strait Regional Authority should represent Torres Strait Islanders who live outside the Torres Strait region.

We are keen to hear your comments on these issues. We also have some questions on these matters which we would like to talk to you about, but you may wish to make some comments first. We would like to report accurately to parliament what you think. For this reason, we will be recording your words so that we make no mistakes in what you say. Later, we will send you a copy of what is said at today's talks so that you can check that it is correct. Would you like to start by telling us about the Torres Strait Islander community living in Darwin?

**Mr Bon**—I am a Torres Strait Islander elder and I have been living here in Darwin for the past 3½ years. I originally come from Murray Island in the Torres Strait. I am the inaugural chairperson for the council of elders after Mabo native title was granted. By living in Darwin, I'm trying to get the Torres Strait people unified and to identify themselves in the structure of this Northern Territory.

Because we are a minority within a minority, there's no indication that we are recognised as Torres Strait Islander people. There are about 2,000 Torres Strait Islanders living in the territory. Some of them were here in the early pearling days and they have intermarried and just become Aboriginal Torres Strait Islanders or Asian Torres Strait Islanders. The full blood Torres Strait Islander people are about 300 to 400 people now living in the territory.

The history goes back to our people. Most of us worked on the railways in Western Australia—in Port Hedland and Dampier. After that, we sort of worked our way up to the pearl farms in Broome, Kuri Bay and around in the territory. So we have sort of given our share to the economy of this country, but there is still no access or equity for our people here in the territory.

So, to answer question one—whether people of the Torres Strait would benefit from a greater degree of autonomy—it is my opinion that the people of the Torres Strait in the homeland and others residing here in Australia could benefit from a greater degree of autonomy. By saying that, through colonialism we have been through strikes back in 1937 when my people went on strike in the war days and right up until 1977 when Papua New Guinea wanted to take control of the Torres Strait. I was a young man then. I was a minute secretary for the Torres Strait Board of Action Committee.

So, with the help of Sir Joh Bjelke-Peterson, we opposed the Papua New Guinean government that we did not want to go. So we have still retained our identity as Queensland Australians. But, in those days, the leaders were saying, 'We own the reefs. We own the caves. We own the waters. We own the air. This is our land. We want to be identified. This is ours.' This was back in 1977. In 1988, 10 years after, Mr George Mye was the chair of the Arakoolan Council and he called for independence. He was looking for greater autonomy

for Torres Strait Islanders then, but it didn't work. He had a heart attack, so it just fell through. Then, in 1992, Arke wanted succession from Murray Island only, but that did not work.

People in the Torres Strait are crying for freedom. What freedom do they want? They want to have freedom to own their land, the waters, the seas, the caves and the reefs. They want to control that but, because of Western influence in the Torres Strait, they are sort of not giving their full benefits to look after the economy in the areas and also are not identifying people from Papua New Guinea who are coming in. For me to say that I believe greater autonomy should be given to Torres Strait Islanders back in the Strait, we should overcome all those problems that are infiltrating from the Papua New Guinean areas—fishermen going through and raping our reefs. We are not getting any benefit out of that. That is one point.

In relation to the other question—that is, if so, what form should a greater degree of autonomy take—I believe the Torres Strait must become a territory within its own right because we have now become adult. We have gone through the process. Mr Katter was the Queensland Minister for Aboriginal Affairs back in the 1980s and he supported us to go for self-management. I was the inaugural council clerk at that time, and we sort of went a step further. Then Mabo came up with this native title in 1992. So it's sort of built up. The ICC has gone from the ICC to the regional authority, and I believe that that's another step that we have sort of become adult.

To reflect back, when the councils were speaking to Gough Whitlam and Sir Michael Somare at that time, they were trying to negotiate with them. We were the meat in the sandwich, but Gough said to the island chairman, 'You are only a local government body; you are not a national body. You can't speak. We are the two independent nations and we can talk on your behalf.' So now that we have sort of grown up, become adults, we should become a territory.

By saying that, we have an island, Norfolk Island. It is a territory. We've got Cocos Island. We've got Christmas Island. These are the sorts of things that I, for one, am looking at. I believe there are others in Townsville who are saying the same. We have gone so far, why don't we become a territory? We cannot become a state because we haven't got the population. We must become a territory. We will monitor the economy in the place and we will rejuvenate whatever fish species there are in the sea and our people who are living in Australia will go back into the Strait.

**ACTING CHAIR**—Thanks, Doug. I think what you've said so far, in terms of your opening statement, is certainly going to generate, I believe, quite a number of questions from members of the committee. I would like to ask you the first question.

In view of the fact that there are only 8½ thousand people living in the Torres Strait Islands collectively—and it is reputed that over 30,000 are living on the mainland—what mechanism do we use, and I include you in that, to involve the mainlanders in decisions that are going to be made which will affect the long-term future of the Torres Strait, whether it becomes self-governing, a territory or whatever the final authority might be? How do we involve the mainlanders? I think that's probably one of the hardest questions that this committee will need to resolve in making a recommendation later on this year. You certainly have the experience to tell us, I'm sure about that.

**Mr Bon**—What I've seen with the infrastructure of the TSIAB—the Torres Strait Islander Affairs Board—the manager is situated in Canberra and we've got our representative in the states and the territory.

As I said earlier, ATSIC has not given us access or equity in funding or whatever. My people in the long grass have come in and said, 'It's a shame.' My people were divers, they were railway workers, but they've got no jobs because they can't sort of compete, but this is their land. We're just like any other migrant that's come here, although we are the other half of the indigenous people.

**ACTING CHAIR**—You are the other half of the culture?

**Mr Bon**—Yes.

**Mr QUICK**—Are you talking about two different things—firstly, access and equity for people living on the Torres Strait Islands and, secondly, access and equity for the people on the mainland?

**Mr Bon**—No, I am speaking for the people on the mainland, access and equity for our people here in the mainland, not in the Torres Strait. They've got everything up there.

**Mr QUICK**—There are similar circumstances. The Samoans and the Tongans who don't live on the islands of Samoa and Tonga, who are forced because of similar circumstances to live in Australia and New Zealand, have their own autonomy because they are separate nation states. Are you aware of the rights of Samoans who live in New Zealand and Australia in relation to decisions that are being made?

**Mr Bon**—I can't speak for other indigenous people because we are Australian and I'm speaking on behalf of Torres Strait Islanders.

**Mr QUICK**—I know that in America, for example, if you're Porto Rican and you don't live on the islands of Porto Rico but on the mainland of the United States of America, you have certain entitlements. You are a US citizen but, when it comes to decision making on Porto Rico, if you don't live there, you don't get a say. The dilemma facing us is, if we recommend that the Torres Strait Islands have the equivalent status of Cocos, Christmas and Norfolk islands—they have an administrator, the people look after their own affairs and we subsidise them through financial grants—that is an easy solution.

The other question is: what do we do with the thousands of people on the mainland who have an affinity with the Torres Strait but, by their own choice, wish to advance themselves educationally and job wise in the mainland of Australia? What structures do we put in place through ATSIC funding to ensure that there is, as you say, an access and equity issue that is being resolved?

**Mr Bon**—We've got an Office of Torres Strait Islander Affairs in Canberra. That infrastructure we can use because the TSIA Board members—that is, within the state and the territory—are representing the Torres Strait people living in the state or territory and they report to the minister. Also, they've got a connection with the commissioners and the regional authority back in the Strait, in the homeland. If we could use that structure, when it comes to voting, we've got to get the people in the state or territory to vote for whoever's a candidate up in the Strait.

**Mr QUICK**—But why do we need to do that? I am a Victorian by birth and I have chosen to live in Tasmania. Under our political infrastructure, I don't get a vote in both places.

**Mr Bon**—Yes, but you haven't got the spirituality.

**Mr QUICK**—I know that, and I'm not decrying that at all. One of the things we raised today is the need to identify how many Torres Strait Islander people there are. We could recommend, and the government could take up the recommendation, that the Torres Strait Islands have an equivalent status to Norfolk, Cocos and Christmas—and they are sort of self-autonomous in the regions. We could say to all the Torres Strait Islander people, 'You've got to vote whether you agree or disagree.'

You're saying there are probably 300 to 400 full bloods and there are up to 2,000 people who claim some TSI heritage and linkages with the islands, would you be averse to our identifying and making a list to say there are 27,349 Torres Strait Islanders in Australia, rule off the line, sign it and stamp it and they're the only people who are allowed to have a say? Would you be upset? Do you think the Torres Strait Islander people would be upset if we set that process in train to say, 'They're the people that we need to discuss it with. No-one else. These are the people who have said they are Torres Strait Islanders'?

**Mr Bon**—When you put the situation to our people, we've got to identify who's a Torres Strait Islander. A lot of people living in Sydney are saying that they're a Torres Strait Islander, but they're Fijian or from another part of the Malaysian group of islands.

**Mr QUICK**—Could we put a process in place to do it? As I said several times today and yesterday, in New Zealand the Maori tribes have identified who belongs to a particular tribe or a group of racial people. If you're not on the list, you don't get a vote. We've got people who vote for ATSIC commissioners who are identified by the community as having some degree of Aboriginality, which enables them to have a vote.

Should we put a process in place to say, 'All those who think they're TSI, register,' and the regional authority will say, 'We've got 60,000 people who claim they're Torres Strait Islanders. We'll have to weed them out and come up with a definitive list.' Once we have that list, we can say, 'There are 8,000 on the islands and there are 20,000 on the mainland.'

Once we know how many we've got, your access and equity problem can be resolved because you can say, 'Of that 20,000, there are 2,000 who are in need of post-secondary education, who need these sorts of skills, and there are so many babies between zero and five who need access to child care and health services,' but at the moment no-one can tell us how many TSI people there are.

**Mr Bon**—Because, like I said, in access and equity, our people are not working within the structure. Our people are left aside, because you have the majority of Aboriginal people who have jobs to identify the people. If we have our people in with the ATSIC office or if there is a Torres Strait office for our people within a state or territory, then we will identify our people. We have gone through our genealogy and we know for sure who is our people.

**Mr QUICK**—How hard would it be to draw up a register, and would you be averse to having one drawn up?

**Mr Bon**—I am not opposed to that. With the Bureau of Statistics, when an application goes out, it can ask people to identify themselves if they are a Torres Strait Islander. Then it will have to go to a panel where elders will be sitting there, seeing the name of the people, identifying them. Even if they are married to other nationalities, they will be identified whether they are a Torres Strait Islander or not.

**Mr QUICK**—One of our recommendations could be—and I am not saying that it is going to be, but it might be—that, in light of our decision or otherwise to grant autonomy, the only people who can have a say in what they really want are those who have registered an interest because they claim some Torres Strait Islander heritage and linkage. Then part of the process we set in train could be that there is a closing date three months from the advertisement and those people can be ‘weeded out’.

**Mr Bon**—It will be a long process, like I mentioned to Mr Lou Lieberman in Brisbane in November when we had this national Torres Strait meeting. When I got the book on the inquiry into greater autonomy for Torres Strait Islanders, I only had it for about a week. I said it was not good enough to say, ‘Okay, you have until 15 September to make a submission.’ We are not as in time or at pace with—

**ACTING CHAIR**—As organised.

**Mr Bon**—Yes. We have to search around and it takes time.

**Mr QUICK**—I understand that, but if there is a recommendation that we do give some greater autonomy, it is going to be a gradual process over a period of years. It is not going to happen overnight.

**Mr Bon**—No, it won’t. We have three years. That is what the regional authority back home said in 1994, when they said they will go for self-government. It has given us four years since then, but now it is three years, so we have to do something about it.

**Mr QUICK**—We have been wandering around Australia. We have a letter from the people in the Townsville community saying, ‘When you came in the first time, we weren’t aware of the inquiry because ATSIC didn’t announce it, but we would now like to have another meeting.’ Hopefully, by the time this hearing finishes around Australia, there will be enough flags flying for the Torres Strait Islander people to say, ‘This is a really big issue,’ and then everybody will be made aware of it.

One of the issues that concerns the committee is that we need to identify who we are talking about because we cannot at the moment. How can we resolve access and equity if we are talking about 20,000, 30,000, 40,000 or 19,000 TSIs? When you address access and equity issues, it all comes down to money. You need to be able to say, ‘There are X number of post-secondary kids who need training, which means we need to have so many courses in TAFE colleges in Broome, Port Hedland, Darwin, Brisbane or Townsville.’ People who make decisions about the allocation of money only do it on the basis of, ‘You tell me the facts, and you justify the expenditure.’ I think this is one of the issues that Torres Strait Islander people need to address. We need to identify who we are talking about.

**Mr TONY SMITH**—I was quite staggered to find when we came here that you told us about numbers of Torres Strait Islanders. We have just had ATSIC in here and they do not know. What does that suggest to us? Obviously, Torres Strait Islanders are not that important.

**Mr Bon**—That is right. That is what I am saying.

**Mr QUICK**—We agree with you, but when it comes down to making decisions, people need to know how many we are talking about. As I have said today a couple of times, Port Adelaide Football Club have all their numbers on a list. They can send out mail to them. When issues come up, they can send it out. Why



haven't we got a structure in place to say to all the TSI people—

**Mr Bon**—They don't want to know us, that is the problem.

**Mr QUICK**—But if you could do that, you would have enormous power in your hands. You could immediately contact all those people, get a response back and have total agreement. At the moment, we have disparate Aboriginal communities all trying to organise their own priorities and money is being spent, in lots of cases, unwisely. If you could get organised and say, 'There are X number of us. We need this for child care. We need this for the promotion of our cultural heritage. We need this for other things,' it should be easy to do because you are only talking about a small number of people in the general Aboriginal and Torres Strait Islander community.

**Mr Bon**—We have organised a committee. We have a member who is a Torres Strait Islander but who is more to the Aboriginal. Where do we stand? She only comes to our meeting once or twice a year and then we don't see her. When it is time for the election, she comes in with us.

**Mr QUICK**—I think people need to make a choice when there is a choice being given to them. You are either one or the other. You can have feet in both groups, but when it comes to actually having a say in the administration of your people, you are either one or the other. You can't have two says, like I can't have two votes in a council election.

**Mr Bon**—That is true. What I am suggesting now is that we have three or four years before the federation, so if Townsville are calling for another meeting, why not have a national meeting incorporating all Torres Strait Islander people, say, within a year? That will give us enough time to get ourselves organised properly right around Australia and to contact our people.

We will try to get the Bureau of Statistics also to try and help identify Torres Strait Islanders so that we can find out who they are and where they are living. Give us a year to do that, then we will know what our people want. We will represent our people. That will be three or four people from each group to meet, but I don't know where.

**Mr QUICK**—One last thing, if you live on Norfolk Island you have a tax benefit compared to people who live on the mainland of Australia. So if you are a Norfolk Islander living on Australian soil, you do not get that tax benefit. People who are Norfolk Islanders have to make a decision as to whether they want to live on the mainland of Australia and get some greater advantage as far as jobs go, or live on the island, enjoy the idyllic lifestyle and pay less tax than an Australian taxpayer.

To me, there is a simple solution to the autonomy issue. You can say, 'These islands from here to there are the same status.' But the bigger problem, as I have alluded to, is what do we do to address your issue of access and equity to the larger number of TSI people who are on the mainland?

**Mr LLOYD**—It concerns me a bit about the idea of the autonomy in the views that you put forward. You appear to be saying almost an independence rather than a bit more of a say in what is happening in the funding. You might want to comment on that. The other question I wanted to ask is whether you think you get a fair deal from ATSIC on the mainland here. If you do not think you do, do you have some specific examples?

**Mr Bon**—I have contacted a lot of Torres Strait people here in Australia and queried them if they had any difficulty with ATSIC. What you are saying is, yes, they have. That is why I am saying there is no access and equity for our people.

**Mr LLOYD**—In what way are they having problems?

**Mr Bon**—In funding. Like I said, minority. If we put our submission in for grants for a sporting complex for our people, ATSIC will say, 'No, they have funding already set aside for their people.' We're to use the same complex, but with people with two different cultures, it does not mix. We want to stick to our culture and traditions and use the complex as we think fit in our ways.

**Mr LLOYD**—I would be very interested if you had any specific examples that you could provide to the committee where you have put forward submissions for a sporting complex or some other complex under the Torres Strait Islander banner that has been rejected. If you have any examples of that and you could at some stage provide those to the committee, that would be useful to us.

**Mr Bon**—I am sorry, I do not have any paper with me. But if you do contact the people in Townsville, they are putting a submission for some land in but they were knocked back. They were trying to get a complex for the people, but they did not get any.

**Mr LLOYD**—We will be talking to them again.

**Mr TONY SMITH**—It is very pleasing to hear you talk about a Territory of the Torres Strait, from my personal point of view. I am not binding the committee to anything, but I fully believe that the messages that have been coming through overall—especially from the Torres Strait Islanders—have been to that end, that a territory would be something that would be great.

But in order to get a territory, you have to establish some economic autonomy. Obviously, this process is necessary to ultimately enrich the lifestyle of the people, perhaps bring back their culture, particularly market gardening and these sorts of areas that they have lost. A lot of that has been lost over time with Western influences. Do you believe that more people would go back to the island if there was some economic activity—such as tourism, fishing, pearling, all sorts of things like that?

**Mr Bon**—That is one of the main issues that have been raised on the Torres Strait in the last four or five years. Our people have gone back when there is employment, with an economy in place. We have our fishing in the Strait—Beche-de-mer, trochus, pearling, prawns.

But what is happening with the prawns and the pearls is the money is coming out of the Torres Strait. In 1988 I was one of the working party doing research on the economy of the Torres Strait on where the money was going. There was about \$250 million coming out of the Torres Strait and only \$60 million going back. That was about 10 years ago.

How can you justify that? About \$180 million is sitting somewhere around and being spent in Queensland and there is only \$60 million going back for services and other infrastructure in the Strait.

When we called for independence in 1988, there was \$30 million given to the Strait for water and

there was some more going in for health. But still we have to justify where the other million dollars have gone to. So we still have an economy in place. If we could lock our seabeds and our waterways, then whatever money has been made in the Torres Strait would be circulating in the Strait itself, instead of coming out of the Strait.

**Mr TONY SMITH**—With regard to what you are saying about a form of independence, you are not saying independence from Australia?

**Mr Bon**—No, I am not saying independence from Australia. As a territory, we will still be tied with the Commonwealth and the Commonwealth will fund the Strait. The Torres Strait Regional Authority holds a monopoly over the Torres Strait, so we have to have an upper house, a lower house and a Senate to sit and make decisions and debate on those issues. We cannot have the Torres Strait Regional Authority being the monopoly over the Torres Strait. This is what we want.

**Mr TONY SMITH**—Effectively, you would be looking down the track to some form of House of Assembly which would be a creature of the Territory of the Torres Strait. It would be like a little territory parliament or community government.

**Mr Bon**—That is right. With the economy in place, if we lock the sea area of the Torres Strait, our people will be filtering back to the Strait. There have been some families going back—about 100 have gone back to various islands in the Strait. It is jobs they want up there. If we do a feasibility study on our marine resources, aquaculture, we will have our people moving back, which is what they have done in the past—with fishermen.

**Mr TONY SMITH**—Tourism, too?

**Mr Bon**—Yes, but it has to be controlled.

**Mr TONY SMITH**—What do you think is the capacity for the Torres Strait Islands? We have some rough figures of 20,000 to 30,000 people living on the mainland. Can the islands absorb a substantial number of those? Obviously, 30,000 are not going to go back to the islands, no matter what happens. Can it absorb a fair number of people ultimately?

**Mr Bon**—We have larger islands in the Strait. We will talk to the Carawack people—those clans. We have Badu. We have to talk to the people at Badu to open lands so that our people can live. Also Moa. Murray will only take another couple of hundred and that is it.

**Mr TONY SMITH**—Same as Yorke?

**Mr Bon**—Yorke would probably take 100 people because of the water system.

**Mr TONY SMITH**—Darnley a few more, maybe?

**Mr Bon**—Darnley could take about 200.

**Mr TONY SMITH**—Just to take up Harry's point on the question of representation, it is a problem,

is it not? Won't it be a problem for the Torres Strait Islanders living on the Torres Strait if Torres Strait Islanders from the mainland start making decisions about what should happen in the Torres Strait? There are problems there, are there not?

**Mr Bon**—There are problems, but we do respect the lack of leaders up there. If we do have this upper house, lower house and Senate, then—

**Mr TONY SMITH**—What did you say?

**Mr Bon**—If we have the upper house, the lower house and Senate—a mini-government back home—and, if the state has their own representative, then those people can sit with the parliamentarian up in the Strait and try to—

**Mr TONY SMITH**—But they would out vote them, wouldn't they? In terms of representative numbers, wouldn't they swamp the islanders?

**Mr Bon**—We have to respect Australia as a homeland, whoever is living there. The people there will respect them. The same respect is also given back to our people. For me to live down here, I have land back at Murray Island. The leaders there respect I have land there. When I go back, I will still retain my land. I have family there. There are others living down here. They have land back home. When they go back, that land comes back to them. If there is a bit of a problem there, they go to the tribunal and the tribunal will sort it out. Then they go to the elder of elders, and they will have the last say in the land.

**Mr TONY SMITH**—Just as a matter of interest, you don't hold the legal title to land on Murray Island, do you? You don't actually have a piece of paper?

**Mr Bon**—Some have got wills that say they own that land. Going back to before colonialism came in, there are my family trees. That is why Mabo and myself—I am the instigator of Mabo—sat and fought for what was ours. We've won and it is ours. For anyone to identify that land, it has to go right through the blood line. Even if we go to law, we will have to see.

**Mr TONY SMITH**—But on the islands you will resolve that, you see that a tribunal on the islands will discuss that?

**Mr Bon**—Yes.

**ACTING CHAIR**—Doug, your time really is up at 12 o'clock, but we've been advised that the Keriba Wakai and Torres Strait Islander Corporation may not be with us today because, obviously, they did not get enough notice to attend the meeting this morning. A couple of people have turned up, but they're saying that what you've been saying is what they were going to say anyway. Would you mind going until about a quarter past 12 because I think we are getting some good information from you? We might keep you going for a few more minutes. Is that all right?

**Mr Bon**—Okay.

**Mr QUICK**—Since the Torres Strait Regional Authority has been established, do you think the

Torres Strait Islanders in the region have greater control over the everyday aspects of their lives? If so, could you give us some examples of how it has benefited the people over there?

**Mr Bon**—To me, the Torres Strait Regional Authority is a body that's been placed by the state government. For what they've done for the Torres Strait, some of it obviously I agree with but for most of it I disagree. They're not representing the people properly. I have been opposed to it ever since it became the regional council.

It is a conflict of interest. The Island Coordinating Council is a state body and the regional council is a Commonwealth body. They are the same persons who have automatically come from the ICC to the Torres Strait Regional Authority now. I am opposed to that. What I am saying to Tony about the mini parliament, we have our two parties so the people like me—elders—are representing grassroots people. We've got people who have been voted in to become chairmen, but they are not looking out for that community. They should be a different body again—a local government body to look after the welfare and being of the people in the communities.

But, for them to become the Torres Strait Regional Authority, they are forgetting their community. They are not really giving the essential services the people need in the community. There's no training. There's no proper infrastructure for training for our people in the communities.

**Mr QUICK**—So, if you were able to restructure the Torres Strait Regional Authority, what would you do?

**Mr Bon**—I would get a separate body so that there would be two—the ICC or the elders in the Strait. There have to be two bodies. There cannot be one. There cannot be one person holding the office of the Island Coordinating Council and the Torres Strait Regional Authority. They've got to be different people in there to make decisions so that there are people debating for the wellbeing of the people in the Strait instead of the regional authority holding a monopoly over the people, making decisions for the people when the people are saying, 'No, we don't want to go that way.'

For instance, we now have the fishery board in the Torres Strait. They are confiscating the dinghies and the gear from the fishermen in the Strait. They should be protecting the Strait from Papua New Guineans or Indonesians coming into the Strait, but they're policing my people in the Strait.

**Mr QUICK**—They're policing their own people. It is not only your people but also their people.

**Mr Bon**—They shouldn't be policing the Torres Strait people. They should be seeing the trawlers that come in there raping the lobsters and the prawns within the protected zone. It's not on.

**Mr QUICK**—Why do we need two bodies? Why can't we have one sensible, wise and all powerful body that can understand the needs of the people from the north to the south of the Torres Strait?

**Mr Bon**—Why not Australia have one body instead of two or three bodies?

**Mr QUICK**—Some of us have been advocating that for a long period of time, that we should have regional government rather than states.

**Mr Bon**—We have been having these councils since 1937 right up until now—about 60 years—and there's still no progress. So, if you've got people debating and lobbying, the people in the Strait will be well represented. It's not one people who have a monopoly over the whole of the Strait, no.

**Mr QUICK**—How does the Torres Strait Regional Authority communicate with the Torres Strait Islanders who are living in, say, Broome? Do they communicate at all with them?

**Mr Bon**—When we had a meeting in Sydney a few years back, we questioned the commissioners and the chairman of the Aboriginal and Torres Strait Islander Commission about that. The commissioners said, 'You've got your people, the TSIAB member in your state, representing you and they get back to us.' But, like I said, they're not representing our people here in Australia. So ATSIC is not giving us a fair go.

**Mr QUICK**—So you're based here in Darwin at the moment?

**Mr Bon**—Yes.

**Mr QUICK**—I guess you are the sort of spokesperson for the community. Do you have much to do with the Torres Strait Islander people in, say, Port Hedland and Broome on a regular basis?

**Mr Bon**—If there was a network, if there was any funding—there has been a cutback on funds—

**Mr QUICK**—ATSIC already has the infrastructure in place.

**Mr Bon**—As you know, there was a cutback in Aboriginal fundings, and there have been inquiries into ATSIC. For us to get money to go and talk to people, there's nothing there. I come in here and ask if there's any funding for me to go to a Torres Strait Islander meeting. They say, 'Sorry, there's no money left.'

**Mr LLOYD**—I envisaged that today's meeting in Darwin would have concentrated very much on the needs of the mainland Torres Strait Islanders and the difficulties they're having with ATSIC—access to funding. Your comments have very much concentrated on autonomy, independence, territory or whatever, for the islands. I was concerned about your comment that you wanted to lock up the Strait. If you want to establish a territory or give the islands some form of independence, you have to have an economic base.

The islands rely very heavily on the Australian economy to provide them with services. When we were in the islands, we were told about the fact that there were commercial fishing licences available for Torres Strait Islanders and yet any ventures that they had put forward had failed. Do you feel that your people there would be able to establish an economic base to provide? Those are some of my concerns. I would like to hear your comments.

**Mr Bon**—Yes, for instance, those licences were offered to people in the Torres Strait. The commercial fishermen pay about \$36,000 for their licence, which is paid to the government. Where can a Torres Strait Islander find \$36,000 to pay for a licence? They've got to go and see ATSIC or go to see the regional authority, and there is not enough money there for them.

I've been a fisherman myself. I went through ATSIC and got a grant to get my own fishing boat, and to work the areas down to Cooktown I got knocked back by the regional authority. They said, 'You cannot

go down and work there.' There are only 11 licences for Torres Strait Islander people to work on the east coast. I said, 'I'm meeting your criteria. I've got a 50-foot boat and it's fit. It's good. It's maintained. I've got the crews. We can do it,' but they say, 'No, you can't.' So that is the sort of thing that we face up in the Torres Strait.

As I said, the money is not being spent in the Torres Strait. There's not one Torres Strait Islander working on a prawn boat. Back in 1968, there were jobs for nearly everyone in the Torres Strait. The prawn boats usually off-loaded their catch in Thursday Island and we had people in Thursday Island who came and worked in that factory. But when they have a mother ship going into the Strait, the prawns are shipped down south and people have gone unemployed again.

So, if we lock the area, the money will just be circulated in the area itself. That is part of the economy for the Torres Strait, but we also have the sea—the pearl culture and the prawns. That is where the money is. There is also tourism but, if you get a lot of it in the Strait, there will be disasters, so it's got to be controlled.

**Mr LLOYD**—If you were given sovereignty over the waters—and that is another debate which, I believe, is being discussed under native title on Croker Island right at this very moment—and you did, for want of a better word, lock up the Strait and others were not allowed to commercially fish there, would that not deprive the Australian economy, and we are all Australians, of a resource? Would you have the facilities to take over that resource? Would you be able to then harness that income that you say is there that is not being given to the Torres Strait Islander people now?

**Mr Bon**—When I say 'lock it in', people who want to commercially fish there have to pay the licence to the Torres Strait body, to a central fund, instead of paying down south. But it has to be on the condition that they have Torres Strait Islander people working on those boats. So that is part of the economy of the place. For the ships that come through the Strait itself, they have to pay tax to enter the waters of the Strait. That will give us some revenue back into the Torres Strait. So this is the sort of thing that we are missing out on.

**Mr LLOYD**—That clarifies that.

**Mr QUICK**—You also mentioned you wanted \$36,000 to do a particular project. You mentioned ATSIC not making available moneys for you to operate some of the projects.

**Mr Bon**—To correct you, I said \$36,000 for the fishing licence.

**Mr QUICK**—We were told earlier today that the Northern Territory ATSIC are spending \$470,000 to review their CDEP plan.

**ACTING CHAIR**—It is \$3 million throughout Australia, though.

**Mr QUICK**—They are spending \$3 million throughout Australia to review how effective their CDEP plan is. To me, priorities seem to be a bit misplaced, to say it politely.

**Mr Bon**—When you have people sitting up there making decisions, you miss out on something. So

this is what we're missing out on.

**Mr TONY SMITH**—Do you see Harry's example as a bureaucratic thing—the money is going to a very wealthy group of accountants in Adelaide? Do you see the bureaucracy as part of the problem? If, for example, you could channel money directly to the island people, instead of through all these commissions and bureaucracies, do you feel that that, again, would be a great benefit to the islanders?

**Mr Bon**—It's got to be because we have seen it in the past. There has been review after review into the Strait, into Aboriginal organisations, saying, 'There's X millions of dollars being spent on Aboriginal health, education or whatever.' But it's not really spent there; it's spent on the bureaucracy, the infrastructure and whatever. So it's not really going back into the community. It should be directed into the communities.

**Mr QUICK**—Once again, it gets back to what I see as the major problem. If we know how many people we're talking about, we need to say, 'How many Torres Strait Islander children are under the potential threat of being neglected or under the threat of a shorter life expectancy because they're not immunised?' No-one could tell me how many Torres Strait Islander children there are between zero and five who have not been immunised because no-one's keeping any records. If you ask the Queensland health department, the Northern Territory health department or the Western Australian health department, they can't tell you because there is no collation of statistics.

If your people could say, 'There are X number of us and here are some things—we need this for our education for our young people, we need this for immunisation and preventative child care for such and such a group of young people and the dental health program needs to be addressed because people haven't had adequate nutrition,' you could then say to these bureaucrats—some of whom have made a decision to give half a million dollars to a group of accountants who are rolling in money—'Don't give them all that because we need only a tenth of it to address the problem of all the children under five.'

**Mr Bon**—That's right. There again, when you see the problem, you haven't got Torres Strait liaison officers within the organisations to identify Torres Strait Islander people. With the health problem for Torres Strait Islander people, there are so many people involved, but it's got to be broken down and Torres Strait Islander people have to be given the opportunity to work within the organisation so they can identify with their people.

It would be very effective because our people go to Aboriginal organisations, but some of them walk off. But, if our people are working in the medical centres, in ATSIC as liaison officers or in any other organisation, where our people can identify and can sit and talk to them comfortably, you'll have the figures that you want. But, if they're not in there, you can't get the accurate figures.

**Mr TONY SMITH**—Just in relation to that point you made about a conflict of interest between the Torres Strait Regional Authority and the Island Coordinating Council person, you're talking about a person who has divided loyalties. Can you give us an example of that? What are you getting at there?

**Mr Bon**—For instance, as an example of the territory, you've got Shane Stone and Nick and you've got George Brown as the local mayor. So there is always a conflict of interest in there. With the authority, because the ICC is a state body and the authority is a Commonwealth body, there is only one person—actually he has come from being elected as a chairperson of an island—who has become the representative of



the Island Coordinating Council and he automatically becomes the Torres Strait Regional Authority.

These people have given their permission for buildings such as the stores and the houses on the island to be on native title, and they are now the native title tribunal. They're saying, 'You can't build it.' I am saying that it really is a conflict of interest. They can't do that. The onus should go back to the elders. The elders are the ones who know the genealogy, the lifestyle of the people, the boundaries of those islands and whatever. So it is a conflict of interest.

**Mr TONY SMITH**—Is it still Getano Lui? Was he re-elected again?

**Mr Bon**—It was a couple of days ago. I don't know whether he got back in or not.

**ACTING CHAIR**—Is it the wish of the committee that Mr Bon's letter be incorporated in the transcript of evidence? There being no objection, it is so ordered.

*The document read as follows—*

Resolved (on motion by **Mr Quick**):

That this committee authorises publication of the evidence given to it at the public hearing this day.

**ACTING CHAIR**—With that, I declare the meeting closed. Thank you for your attendance today, Mr Bon. I also thank *Hansard* for being with us in Alice Springs and Darwin.

**Committee adjourned at 12.21 p.m.**